

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**JOHN CLARIZIA, et al., individually and on
behalf of others similarly situated,**

Plaintiffs,

-against-

**OCWEN FINANCIAL CORPORATION, et
al.,**

Defendants.

1:13-cv-2907 (ALC) (HBP)

ORDER

ANDREW L. CARTER, JR., United States District Judge:

Plaintiff mortgagors bring this class action suit against loan servicers and insurers, alleging that the loan servicers, which force-placed insurance on Plaintiffs' properties, had exclusive and illegal arrangements with the insurers that included "kickbacks" (in the form of commissions, fees, services, and illusory reinsurance contracts). Plaintiffs also allege that loan servicers and insurers breached common law, contract, and/or statutory duties to Plaintiffs with false or misleading communications and backdated, excessive, or improperly placed insurance. Defendants Assurant, Inc. and American Security Insurance Company moved to dismiss Plaintiffs' claims pursuant to Federal Rule of Civil Procedure 12(b)(1). (ECF No. 62). For reasons to be discussed more fully in a forthcoming order, Defendants' Motion to Dismiss is DENIED.

SO ORDERED.

Dated: September 30, 2014

New York, New York

ANDREW L. CARTER, JR.
United States District Judge

